

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FILED  
MAR - 1 2017  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

KYLE BETTS,

Defendant.

No.

**4:17CR00091 CDP/NAB**

**INDICTMENT**

The Grand Jury charges that:

**The Defendant**

1. At all relevant times to this Indictment, Kyle Betts ("Betts") was a resident of Lincoln County, Missouri. Betts was associated with a medical school in the City of St. Louis, Missouri. Betts was training to be a medical doctor, but had not yet obtained a medical license.

**Background -- Prescription Drugs and Controlled Substances**

2. Certain prescription drugs are defined by federal and state law as "controlled substances," which are drugs that have some potential for abuse or dependence. Controlled substances are placed into one of five schedules, based on the potential for abuse and the severity of the effects if a person abuses the drug. Of the controlled drugs that can legally be prescribed, Schedule II drugs have the highest potential for abuse because of the risks of severe psychological or physical dependence. Oxycodone (sometimes marketed as Oxycontin®) and Hydrocodone (sometimes marketed as Vicodin®) are Schedule II drugs. Lorazepam (sometimes marketed as Ativan®) and Tramadol are Schedule IV drugs.

3. Medications that contain controlled substances can only be dispensed pursuant to a "prescription" or "prescription drug order" from an authorized prescriber to a specific patient for a legitimate medical purpose. At the medical school, Betts had some limited ability to authorize prescriptions for drugs for patients at the medical school under the direct supervision of other licensed doctors at the medical school, but only when the prescription was within the bounds of professional medical practice and for a legitimate medical purpose.

#### **The Scheme**

4. Betts wanted to obtain prescription drugs that contained controlled substances for his own personal use and for others, all outside the bounds of professional medical practice and not for legitimate medical purposes. Accordingly, he wrote and signed over seventy prescriptions for controlled substances using a local hospital's Drug Enforcement Administration registration numbers. Betts used the names of six persons on these prescriptions, but none of these six persons were under the medical care of Betts. Betts used the names of his family members for some of the prescriptions, and the names of persons with which he had romantic relationships for other prescriptions. For some of these prescriptions, Betts himself went to the pharmacy and presented prescriptions for drugs using other peoples' names. Betts personally consumed some of the controlled substances that he obtained through these fraudulent prescriptions. Approximately 1366 dosage units of controlled substances were dispensed under defendant's fraudulent prescriptions.

5. By using the names of these six patients on the prescriptions, Betts attempted to avoid detection of his prescription drug diversion scheme by either his medical school or the pharmacies where the prescriptions for drugs containing controlled substances were filled. Betts also wanted to avoid detection of his true purpose behind his signing each of the prescriptions.

**COUNT ONE**

6. Paragraphs 1-5 are incorporated herein by reference.

7. On or about January 4, 2016, in St. Louis City, within the Eastern Division of the Eastern District of Missouri,

**KYLE BETTS,**

the defendant herein, knowingly and intentionally obtained and acquired a Schedule II controlled substance by misrepresentation, fraud, forgery, deception, and subterfuge, that is, he obtained Oxycodone from a pharmacy by using the name of L.D. All in violation of Title 21, United States Code, Section 843(a)(3) and 18 U.S.C. § 2.

**COUNT TWO**

8. Paragraphs 1-5 are incorporated herein by reference.

9. On or about January 3, 2016, in St. Louis City, within the Eastern Division of the Eastern District of Missouri,

**KYLE BETTS,**

the defendant herein, knowingly and intentionally obtained and acquired a Schedule II controlled substance by misrepresentation, fraud, forgery, deception, and subterfuge, that is, he obtained Oxycodone from a pharmacy by using the name of A.S. All in violation of Title 21, United States Code, Section 843(a)(3) and 18 U.S.C. § 2.

**COUNT THREE**

10. Paragraphs 1-5 are incorporated herein by reference.

11. On or about July 22, 2015, in St. Louis City, within the Eastern Division of the Eastern District of Missouri,

**KYLE BETTS,**

the defendant herein, knowingly and intentionally obtained and acquired a Schedule II controlled substance by misrepresentation, fraud, forgery, deception, and subterfuge, that is, he obtained Hydrocodone from a pharmacy by using the name of D.M. All in violation of Title 21, United States Code, Section 843(a)(3) and 18 U.S.C. § 2.

A TRUE BILL.

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FOREPERSON

RICHARD G. CALLAHAN  
United States Attorney

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A.U.S.A. ANDREW J. LAY, #39937MO